

UNITED STATES District Court
Room 150 Federal Bldg

SAN JUAN PR 00918-1767

OCTOBER 13 OF 2022

JOHN JON OBE E
VS

ACARON PUERTA DDIA
FABIOLA

CASO num Tribunal de Primera
Instancia SJ 2022 CY 01582
and
Tribunal de Apelaciones
BAJO EL NUMERO K L C E
202200863

THE TRIAL COURT HAS REFUSED TO LIFT THE AUTOMATIC STAY OF PROMESA, THE COURT OF APPEAL DELAYING
CROSS
Bankruptcy Court

COMPLAINING THE TRIBUNAL DE APELACIONES HAS REFUSED TO LIFT THE AUTOMATIC STAY OF PROMESA BOTH HABEAS CORPUS AND THE DAMAGE ACTION,

TO THE HONORABLE COURT, OR JUDGE LAURA TAYLOR SWAIN COMES NOW I MOVANT - APPELLANT OBE E JOHN JON and BEFORE THIS HONORABLE RESPECTFULLY STATES ALLEGES AND PRAYS AS FOLLOWS

Fact

I FILED A MOTION WITHIN THE TRIBUNAL DE PRIMERA INSTANCIA OR CALL TRIAL COURT OF SAN JUAN PUERTO RICO TO LIFT THE AUTOMATIC STAY AS 362(D)(1) OF THE BANKRUPTCY CODE REQUIRE ACKNOWLEDGING STAY RELIEF IS WITHIN TRIAL COURT'S DISCRETION,

②
THE 31 OF MARCH OF 2022, THE TRIAL COURT OF SAN JUAN PUERTO RICO REFUSED TO LIFT THE AUTOMATIC STAY, THE HABEAS CORPUS AND THE DAMAGE ACTION, AS INCORPORATE INTO TITLE III OF PROMESA BANKRUPTCY CODE 362(d)(1) AUTHORIZES OF THE TITLE III COURT,

THE 2 OF AUGUST OF 2022 I APPEALED THE DECISION OF THE TRIAL COURT, TO THE TRIBUNAL DE APELACIONES OR COURT OF APPEAL OF THE COMMONWEALTH OF PUERTO RICO, AND NO RESPONSE YET,

APPELLATE PROCEEDING REQUIREMENT TO ANSWER,
LEGAL ARGUMENT

WITHIN 30 DAY AFTER NOTICE OF APPEAL IS FILED THE APPELLANT MAY FILE A WRITTEN BRIEF IN SUPPORT OF THE APPEAL, AND THE APPELLEE WILL HAVE 30 DAYS AFTER RECEIPT OF THE APPELLANT'S BRIEF, WITHIN WHICH TO FILE AN ANSWER BRIEF 25 CFR 11804,

THE COURT OF APPEALS SHOULD ANSWER TO LIFT THE AUTOMATIC STAYS

WHEREFORE IT IS RESPECTFULLY REQUESTED THE BANKRUPTCY COURT SHOULD ORDER THE TRIBUNAL DE APELACIONES OR COURT OF APPEAL OF THE COMMONWEALTH OF PUERTO RICO TO LIFT THE AUTOMATIC STAY AS 362(d)(1) OF THE BANKRUPTCY REQUIRE, APPEALATE RELIEF IS WITHIN THE TRIAL COURT DISCRETION, THEY ARE TRYING TO AVOID JUSTICE, UNNECESSARY DELAY OF MERITS CONSIDERATION

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